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09/002,990	01/05/1998	THEODORE D. WUGOFSKI	450.219US1	8453

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EXAMINER

SALCE, JASON P

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 12/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/002,990

Applicant(s)

WUGOFSKI ET AL.

Examiner

Jason P Salce

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 10-22 and 28-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-22 and 28-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/18/03 has been entered.
2. The examiner notes that the claims (previous and added) still read on the Williams reference (U.S. Patent No. 5,945,988). The amended and newly added limitations still do not overcome the reference.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 10-22 and 28-42 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Williams et al. (U.S. Patent 5,945,988).

Referring to claim 10, Williams discloses associating a value of a setting for a presentation device (see database 700 in Figure 7, which associates a volume setting

with a television (presentation device)) with each of a plurality of media input devices having media input signals in a multimedia system (see settings for a computer and audio components in Figure 7, also note that a plurality of media input devices are also disclosed by elements 110, 112, 106 and 114 in Figure 1).

Williams also discloses selecting one of said media input signals for presentation to a user of said system (see Column 3, Lines 58-63 for a remote control communicating with the components of the system).

Williams also discloses presenting said one media input signal to said user with the presentation device having the value of said setting associated with a corresponding media input device (see Column 5, Lines 39-62 for an example of presenting a channel (media input signal) to the user's television (presentation device) having a value stored in a user's profile stored in a database (see Figure 7), which relates settings to an input device).

Referring to claim 11, Williams discloses a plurality of settings with each of said media input signals (in addition to "moderate volume" settings for the television/monitor 102 can include "sports-type programming", "no blocking", and "no supplemental programming requested" disclosed at Column 5, Lines 51-53).

Referring to claim 12, Williams discloses a data structure for holding said values for all of said settings (see user profile database 700 in Figure 7), and said structure having a separate entry for each of said media input signals (note that each column of the user profile database 700 in Figure 7 represents a different media input signal (television, computer, or audio components)).

Referring to claim 13, Williams discloses receiving a modification command from said user (see Column 7, Lines 52-57). Williams also discloses modifying the value of said setting for only said one media signal (see updating "appropriate" records of the user profile at Column 7, Lines 57-62).

Referring to claim 14, see rejection of claim 10.

Referring to claim 15, Williams discloses wherein each of said parameter entries holds multiple values ("CH", "VOL", "GENRE", etc. in Figure 7) each corresponding to a different presentation of media from said signals (different volume settings, and different television channels shown in Figure 7).

Referring to claim 16, Williams discloses that a first group of parameter entries ("TELEVISION") controls the presentation of media from a first output device (television/monitor 102, see default settings at Column 7, Lines 3-9), and a second group of said parameter entries ("AUDIO COMPONENTS") controls the presentation of media from a second output device (audio/video tuner and amplifier 110, see Column 7, Lines 9-11). The examiner notes that these citations disclose that the television/monitor 102 is linked to the "TELEVISION" parameter entries in the user profile database, and the audio/video tuner and amplifier 110 is linked to the "AUDIO COMPONENT" parameter entries.

Referring to claim 17, Williams discloses receiving a selection code from said user representing said one signal (see Column 3, Lines 60-63 for system components and wireless communication transmitter for communicating with the system components at Column 4, Lines 11-19).

Art Unit: 2611

Williams also discloses switching said one input signal to said one output device (see Column 4, Lines 8-19, which discloses that an I/O bus and system controller is used to control each entertainment device). Therefore, it is inherent that a user may switch the output from a television/monitor 102 to either a DVD player 114 or VCR 106 (see Column 3, Lines 40-48 for "routing" input and output signals through the I/O bus 108).

Referring to claim 18, Williams discloses receiving a parameter code for modifying the value of said parameter for only a particular one of said input signals (see Column 7, Lines 57-60 for providing user inputs to the system). The user input is the "parameter code".

Williams also discloses a modified value of said parameter in response to said code (see logging the user inputs at Column 7, Lines 57-60). The logging of inputs is the "modified value".

Williams also discloses storing said modified parameter value in an entry of said table corresponding to said particular one input signal (see updating user preference information found in appropriate records of the user profile at Column 7, Lines 61-62).

Williams also discloses presenting media from said selected signal to said output device in accordance with said modified parameter value (see display device 518 being a television at Column 12, Lines 30-31). It is inherent that the television will display the updated data in the user profile 700, for example if a change in the volume setting is selected, the next time the user views the particular, the volume might change from

moderate to low, based on the users previous configuration (see again Column 7, Lines 52-62 for updating the user profile 700).

Referring to claim 19, Williams discloses that the said particular one signal is one of said signals currently selected in response to the said selection command (see Joe User viewing either channel 2 or 7 at Column 5, Lines 49-55).

Referring to claim 20, see rejection of claim 13.

Referring to claim 21, Williams discloses each of said table entries holds multiple values (different volumes) each corresponding to a different one of a plurality of parameters ("CH" or "VOL") associated with the presentation of media from said signals ("TELEVISION" or "COMPUTER"). See Figure 7.

Referring to claim 22, Williams discloses wherein said parameter code further specifies a particular one of said parameters as said parameter to be modified (see Column 3, Line 64 to show that the wireless I/O device is a wireless keyboard). A keyboard has multiple keys; therefore it is inherent that a keyboard can send a particular parameter depending on which key is pressed. For example, remote controls that are well known in the art have a channel up or down key, or a volume up or down key.

Referring to claim 28, see rejection of claim 40 (below).

Referring to claim 29, Williams discloses that the user input device is a keyboard having a number of buttons for producing said selection command (see wireless keyboard at Column 3, Line 64). It is inherent that a keyboard has more than one button.

Referring to claim 31, Williams discloses that the input device is further adapted to produce a parameter modification command (user inputs at Column 7, Lines 54-55), and wherein said table is adapted to store a modified value of said parameter (logs each input at Column 7, Lines 54-55) in one of said table entries so as to affect the value of said parameter only for one of said media signals associated with said one table entry (see updating the user preference information found in the appropriate records of the user profile (Column 7, Lines 61-62)).

Referring to claim 32, Williams discloses that the input device has a number of buttons for producing said parameter modification command (see rejection of claim 29).

Referring to claim 33, Williams discloses that the input device contains a wireless link such that said parameter modification command can be performed by said user from a position from which said output device is normally viewed (see rejection of claim 29, which also shows wireless link).

Referring to claim 34, Williams discloses that the parameter of said output signal is audio volume (see Column 7, Line 59).

Referring to claim 35, Williams discloses that the parameter of said output signal is color (see Column 7, Line 59).

Referring to claim 36, Williams discloses an output device (see element 518 in Figure 5).

Referring to claim 37, Williams discloses that the output device is a video monitor (see Column 5, Line 43).



Referring to claim 38, Williams discloses that the output device can be a sound system (see Column 5, Line 42).

Referring to claim 39, Williams discloses a DVD player (see Column 3, Line 42).

Referring to claim 40, Williams discloses a plurality of media devices, each providing a different media signal (see devices 110, 112, 114 and 106 in Figure 1).

Williams also discloses a presentation device having parameters for controlling the presentation of media signals received from the media devices (see element 102 in Figure 1 for presenting a media signal and Figure 7 for a database 700 that has parameters (user profiles) that controls the media signals (from a television or computer) received from media devices (see devices 110, 112, 114 and 106 in Figure 1)).

Williams also discloses a user input device responsive to said user for selecting a media device and media signal from the media device (see Column 3, Lines 60-63 for a user input device communicating with media devices and Column 7, Lines 20-33 for selecting a channel from the grid, where only channels from preferred media devices are presented, therefore the user is selecting a media signal from a specific media device).

Williams also discloses a switch coupled to the media devices and presentation device for transmitting a selected one of the media signals to the presentation device in response to the selection command (see bus 108 in Figure 1 and Column 4, Lines 8-15 for routing media signals from the media devices (see devices 110, 112, 114 and 106 in Figure 1) to the presentation device (TV 102 in Figure 1)).

Williams also discloses a table having a plurality of entries each holding values of the parameters for the presentation device based on the media device providing the media signal (see database 700 for holding a plurality of entries (volume, genre, etc.) each holding values (o, +, -, etc.) of the parameters of the presentation device (what the value will be for TV 102 in Figure 1 (o, +, -)) based on the media device providing the signal (television, computer or audio component)).

Williams also discloses a processor responsive to said selection command for accessing said values from said table (see element 104 in Figure 1 and Column 5, Lines -67 and Column 6, Lines 1-7), said values being in an entry corresponding to the media device providing the selected media signal (see again volume setting for a television and the different setting for multiple media devices in database 700 in Figure 7).

Williams also discloses an output controller (element 104 in Figure 1) coupled to said output device (see element 106 in Figure 1) for applying values to the presentation device (the monitor 102) such that the media signal is presented in accordance with the parameters (see again Column 4, Lines 5-19 for controlling a VCR 106 (output device) coupled to system controller 104 (output controller) through a system bus 108, which outputs video signals to a television monitor 102).

Referring to claims 41 and 42, see rejection of claim 40.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2611

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. in view of Official Notice.

Referring to claim 30, Williams discloses that the system includes a data processor coupled to the output device for presenting signals to be presented thereon (see element 502 in Figure 5 coupled to the display device 518 through a bus, which executes programming instructions at Column 12, Lines 60-61), and wherein said keyboard also includes an array of data-entry keys for the data processor (see rejection of claim 29 for a keyboard having multiple buttons or keys). Also note an operating system capable of executing a GUI interface (see Column 14, Lines 46-48). The examiner takes Official Notice that operating systems run on microprocessors in a computer system for the purpose of managing a multitude of functions across a computer system (both graphical and I/O based).

#### ***Conclusion***


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P Salce whose telephone number is (703) 305-1824. The examiner can normally be reached on M-Th 8am-6pm (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on (703) 305-4380. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-5359.

Art Unit: 2611

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

December 14<sup>th</sup>, 2003

  
ANDREW FAILE  
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